

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HUGO MUNOZ CARVAJAL and
JOSEPH CRAYNE,

Defendants.

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8:11CR109

ORDER

This matter is before the court on the motion to continue by the government ([Filing No. 53](#)). The government seeks a continuance of the trial scheduled for September 26, 2011. Government's counsel represents that counsel for each of the defendants have no objection to the motion. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. The motion to continue trial ([Filing No. 53](#)) is granted.
2. Trial of this matter is re-scheduled for **October 24, 2011**, before Chief Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **September 26, 2011 and October 24, 2011**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 8th day of September, 2011.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge